IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

PRESENT
THE HON'BLE MR JUSTICE R.SUBHASH REDDY
WRIT PETITION NO : 23510 of 2006

Dated 10th November, 2006

Between

B.V. Subrahmanayam

.....Petitioner

and

Nalanda Insgtitute of Engineering & Technology,
Rep. By its Principal, Kantepudi, Sattenapalli Mandal,
Guntur District and anr.

....Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 23510 of 2006

ORDER:

The petitioner's son, Mr. Banda Hanumantha Rao, is a student of engineering course. This Writ Petition is filed seeking Writ of Mandamus to declare the action of the respondents in not issuing hall ticket and not permitting his son to appear for III year 1st Semester examinations, to be commenced from 14-11-2006, as illegal and arbitrary.

It is stated in the affidavit filed in support of the Writ Petition that the petitioner's son is not being allowed to write examinations of III year 1st semester, on account of shortage in attendance. It is

the case of the petitioner that his son suffered with severe head-ache and other problems, and therefore could not attend the college regularly, thereby putting the attendance only to the extent of 62.5%, and as the absence is for the reasons beyond his control, the respondents may be directed to permit the petitioner to write III year 1st semester examinations.

As per the academic regulations framed by the Jawaharlal Nehru Technological University, a minimum attendance of 75% is required to acquire the eligibility to write examinations. However, the Academic Committee can condone the shortage of attendance in aggregate upto 10%. Therefore, even to seek condonation of shortage in attendance, one must have put in the attendance of not below 65%. In a similar matter, a Division Bench of this Court in the case of *M.Sunil Chakravarthy Vs. Principal Sreekalahasteeswara*[1] has considered this aspect and held that no direction by way of Mandamus can be issued contrary to the regulations framed by the University to condone the shortage of attendance, in case a candidate puts in less than 65% of attendance, and, permit him/her to write examinations. In that view of the matter, as it is not disputed that the petitioner has put in less than 65% attendance, I do not find any valid ground for issuance of directions as sought for.

The Writ Petition is devoid of merits and the same is accordingly dismissed at the admission stage. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 10-11-2006.
Msnr.

[1] 2005(1)ALD 253 (DB)